

## **R E M A R K S**

Three specific issues are discussed in the DECISION ON PAPERS beginning on page 2, second full paragraph after the caption "DISCUSSION." The latter paragraph correctly holds the original Krah declaration as being in noncompliance with 37 CFR 1.497(a)-(b) because "it does not identify all of the inventors," "the citizenship of all of the inventors," and the filing date of "09 December 2004" is incorrect. A new declaration signed by Karl-Heinz Krah is submitted herewith and is urged to be in compliance with 37 CFR 1.497(a)-(b), particularly because the deceased inventor (Adolf Berger) is identified, his citizenship (Germany) is stated and the declaration includes the correct November 9, 2004 filing date of PCT/EP2004/012649. Accordingly, the issues set forth in the second full paragraph after the caption "DISCUSSION" are believed rendered moot by the submitted Krah declaration.

The second issue appears in the third full paragraph after the caption "DISCUSSION" and involves the absence in the original declaration "fails to state that the person making the oath believes the named inventors (both Adolf Berger and Karl-Heinz Krah) to be the original and first inventors of the subject matter which is claimed and for which a patent is sought." A new declaration signed by Kathe Berger, the widow of co-applicant/co-inventor

Adolf Berger is submitted herewith and states that she believes both co-applicants to "be the joint inventors" of the subject matter of the instant U.S. application and corresponding PCT/EP2004/012649. As such, the declaration submitted herewith is believed to overcome the objection presented in the third full paragraph following the caption "discussion" at page 2 of the "DECISION ON PAPERS."

The third and final issue is believed self-resolved, but since raised in the third full paragraph following the caption "DISCUSSION," the undersigned herewith confirms that the declaration of Kathe Berger has been signed by her as "the sole heir" and as "the legal representative" of her husband Adolf Berger and his estate. Thus, the undersigned confirms that the assumption set forth in the third full paragraph under the caption "DISCUSSION" is correct.

### **CONCLUSION**

In view of the foregoing representations and the two declarations submitted herewith, Applicants respectfully request that this RENEWED SUBMISSION UNDER 35 § CFR 1.42 be granted.

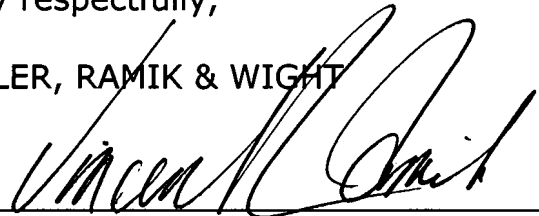
A check in the amount of \$60.00 for the cost of the one month extension (small entity) is attached. Any additional fee or any overpayment

should be charged/credited to the latter-noted account of the undersigned  
(Account No. 50-1716).

Very respectfully,

DILLER, RAMIK & WIGHT

By:

  
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Attachments:      Declarations (2)  
                         Check